



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Ilya Zborovsky  
6 Schoolhouse Way  
Dix Hills NY 11746

**MAILED**

JUL 15 2002

#11

In re Application of  
Anatoly A. Kokush et al  
Application No. 09/011,811  
Filed: July 6, 1999  
For: HYDRAULICALLY STABILIZED  
AND REMOTE-CONTROLLED  
OPERATOR CRANE

Office of the Director  
Group 3600  
DECISION ON PETITION  
TO WITHDRAW THE  
HOLDING OF ABANDONMENT

This is a decision on applicant's petition to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office (USPTO), on May 17, 2002 and June 7, 2002.

The petition is **DISMISSED**.

A review of the file record indicates that an Office action was mailed on July 19, 2001 wherein a one-month or thirty day (whichever is longer) shortened statutory period for response was set. Since no response to the July 19, 2001 Office action was received, the application was held abandoned in the Notice of Abandonment mailed March 8, 2002.

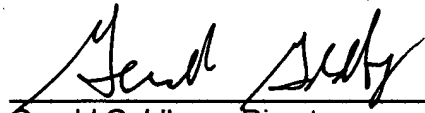
Petitioner requests withdrawal of the holding of abandonment on the basis that a response was allegedly timely filed. Petitioner offers proof in the form of a copy of the response, which bears a Certificate of Mailing dated October 18, 2001 and a request for a two month extension of time.

It is noted that the petition contains contradictory information and the Certificate of Mailing is flawed. Specifically, petitioner states: "In fact, the response was filed in time, in particular on December 18, 2001 with two months extension, as per the copy which is attached hereto." However, no such December 18, 2001 date appears on the referenced document. Petitioner also states in the petition that the response was mailed on October 10, 2001. Again, no such date is apparent from the documents filed. Finally, the Certificate of Mailing on the copy of the response indicates that the response was filed "on the date indicated above". However, no date appears "above". The 10/18/01 date appears below the Certificate of Mailing statement.


The application is being forwarded to Files Repository.

Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Should petition desire reconsideration, he should submit a renewed petition which addresses the deficiencies noted above.

Telephone inquiries relative to this decision should be directed to Special Programs Examiner Kenneth Dorner at (703) 308-0866.



Gerald Goldberg, Director  
Patent Technology Center 3600  
(703) 308-1134  
Facsimile No.: (703) 308-2177

  
Kjd: 7/10/02